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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00225DAE (01)
)	
Plaintiff,)	EX PARTE MOTION TO PERMIT
)	LATE FILING OF THE
vs.)	GOVERNMENT'S OPPOSITION
)	TO THE DEFENDANT'S MOTION
ANDY S.S. YIP, (01))	FOR JUDGMENT NOTWITHSTANDING
BRENDA M. O. CHUNG, (02))	THE VERDICT AS TO COUNT 1;
)	EXHIBIT 1;
Defendant.)	CERTIFICATE OF SERVICE
)	

EX PARTE MOTION TO PERMIT LATE FILING OF THE
GOVERNMENT'S OPPOSITION TO THE DEFENDANT'S MOTION FOR
JUDGMENT NOTWITHSTANDING THE VERDICT AS TO COUNT 1

Comes now the United States of America, by and through these pleadings, asks for permission to file their opposition to Defendant's pleading five days prior to the hearing on this matter. This motion is predicated upon the inadvertence and error of the United States in failing to respond in a timely fashion to the Defendant's motion.

The undersigned counsel failed to receive notice that

the hearing of this matter had been set for October 22, 2007 at 11:15 a.m. before the Honorable David Alan Ezra. Counsel first learned the hearing date in a conversation with the secretary for Howard Chang on October 17, 2007.

DATED: Honolulu, Hawaii, October 17, 2007.

Respectfully submitted,

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Leslie E. Osborne, Jr.
LESLIE E. OSBORNE, JR.
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

Howard T. Chang howardchang.crimtaxatty@hawaiiantel.net

Howard K. K. Luke howardkkluke@hawaii.rr.com

DATED: Honolulu, Hawaii, October 17, 2007.

/s/ Leslie E. Osborne, Jr.